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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 AARON VRH,

12 Plaintiff,

13 v.

14 BERGMAN, *et al.*,

15 Defendants.
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No. 1:22-cv-00727-JLT-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DISMISSAL OF ACTION FOR LACK OF
SUBJECT MATTER JURISDICTION

(Doc. 14)

17 The assigned magistrate judge issued findings and recommendations that this action be
18 dismissed, with prejudice, for lack of subject matter jurisdiction. (Doc. 14.) The magistrate
19 judge found that the *Rooker-Feldman* doctrine prevents this Court from exercising subject matter
20 jurisdiction over an action that Plaintiff repeatedly characterized as an appeal from a state court
21 judgment. (*Id.*) On October 20, 2022, Plaintiff timely filed objections to the findings and
22 recommendations. (Doc. 15.)

23 Plaintiff's objections provide no basis for declining to adopt the findings and
24 recommendations. Plaintiff attempts to clarify that the state court case he originally filed was
25 dismissed based on a time limit, rather than based on the merits of the action. (*Id.* at 2.) Plaintiff
26 contends that this dismissal was a misuse of power, and the case was wrongfully decided by the
27 state judge. (*Id.* at 3.) However, these arguments confirm that Plaintiff is seeking relief from the
28 state court judgment due to an alleged legal error. He may only challenge the state's court's

1 judgment in the state court of appeal. Thus, this provides further support for the magistrate
2 judge's conclusion that Plaintiff is requesting an improper appellate review of the dismissed state
3 court action.

4 According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this
5 case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court finds
6 the findings and recommendations to be supported by the record and by proper analysis. Thus, the
7 Court **ORDERS**:

8 1. The findings and recommendations issued on October 7, 2022, (Doc. 14), are

9 **ADOPTED IN FULL.**

10 2. This action is **DISMISSED**, with prejudice, for lack of subject matter jurisdiction.

11 3. The Clerk of the Court is directed to close this case.

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13 IT IS SO ORDERED.

14 Dated: **October 24, 2022**


UNITED STATES DISTRICT JUDGE